

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Ricky Joseph Johnson,

Plaintiff,

vs.

Greenville County, et al.,

Defendants.

Civil Action No. 6:07-0491-HFF-WMC

REPORT OF MAGISTRATE JUDGE

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. On May 29, 2007, the defendants filed a motion for summary judgment. On May 30, 2007, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), an order was mailed to the plaintiff's last known address (Hall County Detention Center, PO Box 908030, Gainesville, GA 30501) advising him of the summary judgment procedure and the possible consequences if he failed to respond adequately. The envelope containing this order was returned to the court as the plaintiff is apparently no longer incarcerated at Hall County Detention Center.

The record reveals that the plaintiff was advised by order dated March 15, 2007, of his responsibility to notify the court *in writing* if his address changed.

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution.

s/William M. Catoe
United States Magistrate Judge

July 31, 2007

Greenville, South Carolina